

# APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office **APR 07 1995**

Returned to applicant for correction **APR 20 1995**

Corrected application filed **JUN 16 1995**

George Kent Whitaker & Carmae Whitaker, Gregory Whitaker & Linda Whitaker Jeffrey Whitaker & Diane Whitaker Serial #160  
The applicant **George Kent & Carmae Whitaker Serial #s 156, 154-A & 154-B**

**2355 Sorensen Road** of **Fallon**  
Street and No. or P.O. Box No. City or Town

**Nevada 89406** hereby make application for permission to change the  
State and Zip Code No.

**Existing place of use of a portion**  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Truckee-Carson Irrigation Districts No. 156,**  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
**154-A 160, 154-B United States of America v. Orr Water Ditch Co. in Equity**  
Identify right in Decree.

**No. A.3 Claim No. 3; United States of America v. Alpine Land Reservoir Co.**

**D.C. D-183 BRT**

1. The source of water is **Truckee River & Carson River**  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **46.9 a/f**  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **as decreed**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **as decreed**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **Lahontan Dam being within the SW 1/4 SE 1/4**  
Describe as being within a 40-acre subdivision of public survey and by course and  
**Section 33, Township 19 North, Range 26 East, M.D.B. & M.**  
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within **No Change**  
If point of diversion is not changed, do not answer.

**NE SW, NW SE, NE SE, SE SW, SW SE Section 23 SE SE Section**  
7. Proposed place of use  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
**24, NW NE, NE NE Section 25 All in T18N., R.28E., M.D.B. & M.**

**T.C.I.D. Serial #160, 154-B, 154-B 13.4 ac.**

**SE NW, NE SW Section 23, NW NE Section 25 all in T18N.,**  
8. Existing place of use  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
**R28E., M.D.B. & M. T.C.I.D. Serial #160, 156, 154-B 13.4 ac.**  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from **March 15, 1995** to **November 15, 1995** of each year.  
Month and Day Month and Day

10. Use was permitted from **March 15, 1995** to **November 15, 1995** of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)  
**Dam, canal & Ditches**  
State manner in which water is to be diverted, i.e. diversion structure,

**complete**  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works **complete**

13. Estimated time required to construct works **complete**

NA

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Stacking water on permit #52554

RESERVATION OF RIGHTS

"Temporary measures being taken to allow the irrigation of the subject parcel are not to be construed as an admission that the original transfer is invalid under federal or state law. The applicant reserves the right to continue to assert that the original transfer is valid and that the applicant is entitled to use the original water right in the manner requested. In no way are these temporary measures to be construed as a withdrawal of the prior transfer, or as an abandonment or forfeiture of the original water right."

By s/Carmae Whitaker

s/Kent Whitaker

2355 Sorensen Rd

Fallon, NV. 89406

Compared jr/bk jr/bk

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit does not authorize more than the decreed duty to be placed on the proposed place of use.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 1995 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 46.9 acre-feet cubic feet per second as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 21st day of September

A.D. 19 95

R. Michael Turnipseed  
State Engineer

TEMPORARY

TEMPORARY